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The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY
LEGISLATIVE ASSEMBLY SECRETARIAT

No. 7481/2010-LA (Legn.).

Puducherry, the 29th October 2010.

Under rule 140 of Rules of Procedure and Conduct of Business of the Puducherry Legislative Assembly, the following Bill viz.,

The Puducherry Municipalities (Amendment) Bill, 2010
(Bill No. 10 of 2010),

which was introduced in the Legislative Assembly on October 27, 2010 is published for general information.

THE PUDUCHERRY MUNICIPALITIES
(AMENDMENT) BILL, 2010

(Bill No.10 of 2010)

A

BILL

further to amend the Puducherry Municipalities Act, 1973.

BE it enacted by the Legislative Assembly of Puducherry in the Sixty-first Year of Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Puducherry Municipalities (Amendment) Act, 2010.

(2) It shall come into force at once.

Insertion of new sections 89-A and 89-B.

2. In the Puducherry Municipalities Act, 1973 (hereinafter referred to as the principal Act), after section 89, the following sections shall be inserted, namely:—

Obligation of municipality to disclose required information.

“89-A. Every municipality shall maintain and publish all its records duly catalogued and indexed, in a manner and form which enables the municipality under this Act to disclose the required information as specified in Part-A and Part-B of Schedule-XV and such other information as may be prescribed, at quarterly intervals.

Act
No. 9
of 1973.

Manner of disclosure.

89-B. The manner of disclosure shall include, namely:—

- (a) Newspaper in regional and English language;
- (b) Internet;
- (c) Notice Boards of the municipality;
- (d) Ward Offices;

(e) Any other mode, as may be prescribed by the Government from time to time.”.

3. In the principal Act, after Schedule-XIV and the entries relating thereto, the following Schedule shall be inserted, namely:—

Insertion
of new
Schedule-XV.

“SCHEDULE - XV
(See section 89-A)

Part-A

1. Particulars of the Municipality;
2. A statement of the Boards, Councils, Committees and other bodies consisting of two or more persons constituted as its part for the purpose of its advice, and as to whether meetings of those Boards, Councils, Committees and other bodies are open to the public or the minutes of such meetings are accessible to public;
3. A directory of its officers and employees;
4. The particulars of officers who grant concessions, permits or authorisation for each activity.

Part-B

1. Audited financial statements of Balance Sheet, Receipts and Expenditure and Cash Flow on a quarterly basis, within two months of the end of each quarter; and statutorily audited financial statements for the full financial year, within three months of the end of the financial year;
2. The service levels being provided for each of the services being undertaken by the municipality;
3. Particulars of all plans, proposed expenditures, actual expenditures on major services provided or activities performed and reports on disbursements made;

4. Details of subsidy programmes on major services provided or activities performed by the municipality, and the manner and criteria for identification of beneficiaries for such programmes;

5. Particulars of the Master Plan, City Development Plan or any other plan concerning the development of the municipal area;

6. The particulars of major works as may be prescribed, together with information on the value of works, time of completion, and details of contract;

7. The details of the municipal funds *i.e.*, income generated in the previous year by the following :—

(a) Taxes, duties, cess and surcharge, rent from the properties, fees from licences and permissions;

(b) Taxes, duties, cess and surcharge, rent from the properties, fees from licences and permissions that remain uncollected and the reasons thereof;

(c) Share of taxes levied by the Government and transferred to the municipality and the grants released to the municipality;

(d) Grants released by the Government for implementation of the schemes, projects and plans assigned or entrusted to the municipality, the nature and extent of utilisation; and

(e) Money raised through donation or contribution from public or non-Governmental agencies.

8. Annual budget allocated to each ward and such other information as may be prescribed.”.

STATEMENT OF OBJECTS AND REASONS

The Ministry of Urban Development, Government of India has launched a Centrally Sponsored Mission / Scheme, *viz.*, Jawaharlal Nehru National Urban Renewal Mission (JNNURM) in December, 2005 with a view to provide reforms driven, fast track and planned development in 63 identified cities in the country with a focus on efficiency in urban infrastructure/service delivery mechanism and accountability of urban local bodies to the citizens during the Mission period 2005-2012.

2. Pondicherry is one among the 63 cities which have been identified under the said Mission for availing of financial assistance under a Sub-Mission/ Scheme *viz.*, Provision of Urban Infrastructure and Governance. Therefore, the two municipalities, *viz.*, the Puducherry Municipality and Oulgaret Municipality are eligible to get central assistance under the said scheme. The Non-Mission Cities, namely, Karaikal, Mahe and Yanam are also eligible to avail of the Central Assistance under the Sub-Mission *viz.*, Urban Infrastructure Development Scheme for Small and Medium Towns.

3. In order to avail of the financial assistance from the Government of India under the said Mission, a Memorandum of Agreement was signed by the Government of Puducherry with the Ministry of Urban Development on 31-12-2007 to bring in 23 reforms in urban governance within a time frame. One of the optional reforms to be brought in at the State level is to enact Public Disclosure Law with the object of publishing information on functioning of urban local bodies on a periodical basis.

4. Therefore, it is considered necessary to bring an amendment to the Puducherry Municipalities Act, 1973 to disclose the functioning of municipalities to the public so as to ensure transparency and accountability in the administration of municipalities.

5. The Bill seeks to achieve above objects.

A. NAMASSIVAYAM,
Minister for Public Health.

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Secretary,
Legislative Assembly Secretariat.

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